

File Number: 2003-0271 No. 03-20

### NOTICE OF INTENT TO ADOPT NEGATIVE DECLARATION

This form is provided as a notification of an intent to adopt a Negative Declaration which has been prepared in compliance with the provisions of the California Environmental Quality Act of 1970, as amended, and Resolution #193-86.

# **PROJECT TITLE:**

Application for a Rezone, Special Development Permit and Tentative Map filed by Ron Dick.

### **PROJECT DESCRIPTION AND LOCATION (APN):**

**2003-0271** - **Ron Dick** [Applicant] **Richard Smith** [Owner] - Application for related proposals on a 14,500 square foot site located at **160 North Sunnyvale Avenue** in an R-2 (Low-Medium Density Residential) Zoning District. (APN: 204-08-004)

- Rezone from R-2 (Low-Medium Density) Zoning District to R-2/PD (Low-Medium Density Residential/Planned Development) Zoning District;
- Special Development Permit to allow the construction of four town homes; and
- Tentative Map to subdivide one lot into four lots and one common lot.

### WHERE TO VIEW THIS DOCUMENT:

The **Negative Declaration**, its supporting documentation and details relating to the project are on file and available for review and comment in the Office of the Secretary of the Planning Commission, City Hall, 456 West Olive Avenue, Sunnyvale.

Any person prior to 5:00 p.m. on **Tuesday, October 7, 2003** may protest this Negative Declaration in writing. Such protest shall be filed in the Department of Community Development, 456 W. Olive Avenue, Sunnyvale and shall include a written statement specifying anticipated environmental effects which may be significant. A protest of a **Negative Declaration** will be considered by the adopting authority, whose action on the protest may be appealed.

### **HEARING INFORMATION:**

A public hearing on the project is scheduled for:

**Monday, October 13, 2003 at 8:00 p.m.** by the Planning Commission in the Council Chambers, City Hall, 456 West Olive Avenue, Sunnyvale; and on,

**Tuesday, November 11, 2003 at 7:30 p.m.** by the City Council in the Council Chambers, City Hall, 456 West Olive Avenue, Sunnyvale.

## **TOXIC SITE INFORMATION:**

(No) listed toxic	sites are present at the proje	ct location.	
Circulated On	September 17, 2003	Signed:	
_	•	Fred Bell, Principal Planner	

### **NOTICE OF DETERMINATION**



Date: November 13, 2003 File Number: 2003-0271 No. 03-20

To: X County Clerk Santa Clara County City of Sunnyvale 70 West Hedding Street P.O. Box 3707
San Jose, California 95110 Sunnyvale, California 94088-3707

Office of Planning and Research 1400 Tenth Street, Room 121 Sacramento, California 95814

SUBJECT: Filing of Notice of Determination in compliance with Section 21108 or 21152 of the

Public Resources Code.

**Project Title:** Application for a Rezone, Special Development Permit and Tentative Map filed by Ron Dick.

N/A
State Clearinghouse Number Contact Person Telephone Number

**Project Location (APN):** The property is located at 160 North Sunnyvale Avenue (APN: 204-08-004)

**Project Description: 2003-0271** - **Ron Dick** [Applicant] **Richard Smith** [Owner] - Application for related proposals on a 14,500 square foot site located at **160 North Sunnyvale Avenue** in an R-2 (Low-Medium Density Residential) Zoning District. (APN: 204-08-004)

- Rezone from R-2 (Low-Medium Density) Zoning District to R-2/PD (Low-Medium Density Residential/Planned Development) Zoning District;
- Special Development Permit to allow the construction of four town homes; and
- Tentative Map to subdivide one lot into four lots and one common lot.

This is to advise that the City of Sunnyvale has approved the above-described project on **Tuesday**, **November 11**, **2003** and has made the following determination regarding the above-described project:

- 1. The Project \_\_ will X will not have a significant effect on the environment.
- 2. \_\_ An Environmental Impact Report <u>X</u> A Negative Declaration was prepared for this project pursuant to the provision of CEQA.
- 3. Mitigation measures \_\_\_ were \_X \_ were not made a condition of the approval of the project.
- 4. A statement of Overriding Considerations \_\_ was X was not adopted for this project.
- 5. Findings X were were not made pursuant to the provisions of CEQA.

The Final EIR, Mitigated Negative Declaration or Negative Declaration and record of project approval is available to the general public at: Community Development Department, City Hall, 456 West Olive Avenue, Sunnyvale, California 94087.

ate Received for Filing at OPR:	_



PLANNING DIVISION CITY OF SUNNYVALE P.O. BOX 3707 SUNNYVALE, CALIFORNIA 94088-3707

File Number: 2003-0271 No. 03-20

### **NEGATIVE DECLARATION**

This **Negative Declaration** has been prepared in compliance with the provisions of the California Environmental Quality Act of 1970, as amended, and Resolution #193-86.

### **PROJECT TITLE:**

Application for a Rezone, Special Development Permit and Tentative Map filed by Ron Dick.

### **PROJECT DESCRIPTION AND LOCATION (APN):**

**2003-0271** - **Ron Dick** [Applicant] **Richard Smith** [Owner] - Application for related proposals on a 14,500 square foot site located at **160 North Sunnyvale Avenue** in an R-2 (Low-Medium Density Residential) Zoning District. (APN: 204-08-004)

- Rezone from R-2 (Low-Medium Density) Zoning District to R-2/PD (Low-Medium Density Residential/Planned Development) Zoning District;
- Special Development Permit to allow the construction of four town homes; and
- Tentative Map to subdivide one lot into four lots and one common lot.

### **FINDINGS:**

The Director of Community Development of the City of Sunnyvale, California, hereby determines that an environmental impact report is not required. There are sufficient environmental controls incorporated into the Zoning and Subdivision regulations to ensure no significant detrimental effect by any proposed use, in case of a PD overlay or any application for a Special Development Permit.

The above determination is based upon the initial study conducted in this matter, information provided by the applicant in an "Application for Environmental Finding" and is based on the fact that the use is in keeping with and not in conflict with the adopted General Plan, Zoning Ordinance and Subdivision Ordinance. The use would be in keeping with the character of the proposed Zoning District.

Any person prior to 5:00 p.m. on **Tuesday, October 7, 2003** may protest this Negative Declaration in writing. Such protest shall be filed in the Department of Community Development, 456 W. Olive Avenue, Sunnyvale and shall include a written statement specifying anticipated environmental effects which may be significant. A protest of a Negative Declaration will be considered by the adopting authority, whose action on the protest may be appealed.

Circulated On _	September 17, 2003	Signed: Fred Bell, Principal Planner	
Adopted On _		Verified: Fred Bell, Principal Planner	

File Number: 2003-0271

No. 03-20



### California Department of Fish and Game CERTIFICATE OF FEE EXEMPTION

### **De Minimis Impact Finding**

### PROJECT TITLE/LOCATION (INCLUDE COUNTY):

The Rezone, Special Development Permit and Tentative Map are located on 160 North Sunnyvale Avenue, City of Sunnyvale, County of Santa Clara in an R-2 (Low-Medium Density Residential) Zoning District. APN: 204-08-004.

### **PROJECT DESCRIPTION:**

**2003-0271** - **Ron Dick** [Applicant] **Richard Smith** [Owner] - Application for related proposals on a 14,500 square foot site located at **160 North Sunnyvale Avenue** in an R-2 (Low-Medium Density Residential) Zoning District. (APN: 204-08-004) (Negative Declaration) SL

- Rezone from R-2 (Low-Medium Density) Zoning District to R-2/PD (Low-Medium Density Residential/Planned Development) Zoning District;
- Special Development Permit to allow the construction of four town homes; and
- Tentative Map to subdivide one lot into four lots and one common lot.

#### **FINDINGS OF EXEMPTION:**

- 1. This project is in an urban setting.
- 2. There is no alteration of land or effect on fish or wildlife.

### **CERTIFICATION:**

I hereby certify that the public agency has made the above finding and that the project will not individually or cumulatively have an adverse effect on wildlife resources, as defined in Section 711.2 of the Fish and Game Code.

Fred Bell

Title: <u>Principal Planner, Community Development</u>

Lead Agency: City of Sunnyvale

Date: September 17, 2003

DFG: 3/94 Planner INITIAL STUDY
City of Sunnyvale
Department of Community
Development
Planning Division
P.O.Box 3707
Sunnyvale, CA 94088-3707

Project #: 2003-0271 SDP/RZ/TM

**Project Address: 160 N. Sunnyvale Rd., Sunnyvale** 

Applicant: Ron Dick

1.	Project Title:	Application for a Special Development Permit to allow the construction of four town homes.				
2.	Lead Agency Name and Address:	City of Sunnyvale, Community Development Department, Planning Division				
3. 4.	Contact Person and Phone Number: Project Location:	Steve Lynch 408-730-2723 160 N. Sunnyvale Rd., Sunnyvale, CA				
5.	Project Sponsor's Name and Address:	Ron Dick, 373 Monroe Ct., San Jose, CA 95128				
6.	General Plan Designation:	RLM, Residential Low to Medium Density				

8. The project consists of a Special Development Permit, Rezoning, and a Tentative Parcel Map application to subdivide an 14,439 sq. ft. lot into 4 lots and a common lot; demolition of an existing single family house; and associated site improvements such as landscaping upgrades, utilities, and shared driveways & parking. The 100 block of North Sunnyvale Road was previously identified on the City's Cultural Resource Inventory, but a subsequent analysis by a State licensed architectural/historic consultant confirmed that the project site and its structures are not

historically significant.

7.

Zoning:

 Surrounding Land Uses and Setting: (Briefly describe the project's surroundings) North: Medium Density Residential

R2. Low to Medium Density Residential

South: High Density Residential

East: Manufacturing, Research and Development

West: Medium and Low Density Residential

The project site is developed with a single family house and is surrounded by properties that are developed with existing residential and industrial properties, with research and development activities.

10. Other public agencies whose approval is required (e.g. permits, financing approval, or participation agreement)

none

Project #: 20	003-0271 SDP/RZ/TM
<b>Project Addr</b>	ess: 160 N. Sunnyvale Rd.,
Sun	nyvale
Applicant: F	Ron Dick

# **INITIAL STUDY ENVIRONMENTAL CHECKLIST**

Page 4

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The environmental factors checked below would be potentially affected by this project,
involving at least one impact that is a "Potentially Significant Impact" as indicated by the
checklist on the following pages.

		Aesthetics		Hazards & Hazardous Materials		Public Services		
		Agricultural Resources		Hydrology/Water		Recreation		
		Air Quality		Quality Land Use/Planning		Transportation/Traffi		
		Biological Resources		Mineral Resources		Utilities/Service		
		Cultural Resources		Noise		Systems Mandatory Findings	s of	
		Geology/Soils		Population/Housing		Significance		
DETE	RMIN	ATION: (To be completed by	the	Lead Agency)				
	I find	is of this initial evaluation: that the proposed project ( onment, and a NEGATIVE D			ect or	n the	x	
I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.								
		that the proposed project N IVIRONMENTAL IMPACT REF			ne en	vironment, and		
I find that the proposed project MAY have a "potential significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect (1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and (2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.								
I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.								
 Signa	ature			Date			-	
C+		h Assasiaka Diamaan		C:h. of	C			

SignatureDateSteve Lynch, Associate PlannerCity of SunnyvalePrinted NameFor (Lead Agency)

Project #: 2003-0271 SDP/RZ/TM

Project Address: 160 N. Sunnyvale Rd.,

Sunnyvale

Applicant: Ron Dick

### **INITIAL STUDY ENVIRONMENTAL CHECKLIST**

Page 5

### **EVALUATION OF ENVIRONMENTAL IMPACTS**

- 1) A brief explanation is required for all answers except "No Impact" answers that are adequately supported by the information sources a lead agency cites in the parentheses following each question. A "No Impact" answer is adequately supported if the referenced information sources show that the impact simply does not apply to projects like the one involved (e.g. the project falls outside a fault rupture zone). A "No Impact" answer should be explained where it is based on project-specific factors as well as general standards (e.g. the project will not expose sensitive receptors to pollutants, based on a project-specific screening analysis).
- 2) All answers must take account of the whole action involved, including off-site as well as on-site, cumulative as well as project-level, indirect as well as direct, and construction as well as operational impacts.
- 3) Once the lead agency has determined that a particular physical impact may occur, then the checklist answers must indicate whether the impact is potentially significant, less than significant with mitigation, or less than significant. "Potentially Significant Impact" is appropriate if there is substantial evidence that an effect may be significant. If there are one or more "Potentially Significant Impact" entries when the determination is made, an EIR is required.
- 4) "Negative Declaration: Potentially Significant Unless Mitigation Incorporated" applies where the incorporation of mitigation measures has reduced an effect from "Potentially Significant Impact" to a "Less Significant Impact." The lead agency must describe the mitigation measures, and briefly explain how they reduce the effect to a less than significant level (mitigation measures from Section 17, "Earlier Analysis," may be cross-referenced).
- 5) Earlier analysis may be used where, pursuant to the tiering, program EIR, or other CEQA process, an effect has been adequately analyzed in an earlier EIR or negative declaration. Section 15063 (c) (3) (d). In this case, a brief discussion should identify the following:
  - a. Earlier Analysis Used. Identify and state where they are available for review.
  - b. Impacts Adequately Addressed. Identify which effects from the above checklist were within the scope of and adequately analyzed in an earlier document pursuant to applicable legal standards, and state whether such effects were addressed by mitigation measures based on the earlier analysis.
  - c. Mitigation Measures. For effects that are "Less than Significant with Mitigation Measures Incorporated," describe the mitigation measures which were incorporated or refined from the earlier document and the extent to which they address site-specific conditions for the project.
- 6) Lead agencies are encouraged to incorporate into the checklist references to information sources for potential impacts (e.g. general plans, zoning ordinances). Reference to a previously prepared or outside document should, where appropriate, include a reference to the page or pages where the statement is substantiated.
- 7) Supporting Information Sources: A source list should be attached, and other sources used or individuals contacted should be cited in the discussion.

Project #: 2003-0271 S Project Address: 160 N Sunnyvale		INITI	AL STUDY	ENVIRONI	MENTAL (	CHECK	LIST
Applicant: Ron Dick						Pa	ge 6
8) This is only a sugge	ested form, and lead agend ld normally address the quental effects in whatever fo	iestions f	rom this ch				
	h issue should identify: (a tion; and (b) the mitigationance.						act
Issues and Supportin	g Information		Potentia lly Significa nt Impact	Less than Significa nt With Mitigatio n Incorpor ated	Less Than Signific ant Impact	No Imp act	Source
I. AESTHETICS. Wo	ould the project:		l	1 2222	<u>I</u>	I	
a. Have a substantial a	adverse effect on a scenic	vista?				X	2, 94
	ge scenic resources, includ k outcroppings, and histor scenic highway?				x		2, 94, 115
c. Substantially degrad quality of the site and it	de the existing visual chara s surroundings?	acter or			X		2, 94, 101,
	e of substantial light or gla affect day or nighttime vie					X	115 2, 94
	Where available, the sign lution control district may						
a. Conflict with or obstapplicable air quality pla	ruct implementation of the an?	9				X	3, 97, 100,
	ty standard or contribute ing or projected air quality	/				X	111, 3, 97, 100, 111,
any criteria pollutant fo attainment under an ap air quality standard (inc	vely considerable net incre r which the project region plicable federal or state ar cluding releasing emissions esholds for ozone precurso	is non- nbient s which				X	3, 96, 97, 100, 111,

Project #: 2003-0271 SDP/RZ/TM Project Address: 160 N. Sunnyvale Rd., Sunnyvale Applicant: Ron Dick	INITIAL ST	UDY ENVIR	ONMENTA		KLIST Page 7
d. Expose sensitive receptors to substantial pollutar concentrations?	nt 🗆			x	62, 63 111,
e. Create objectionable odors affecting a substantia number of people?	ıl 🗆			X	112 111, 112

Applicant: Ron Dick

# **INITIAL STUDY ENVIRONMENTAL CHECKLIST**

Issues and Supporting Information	Potenti ally Signific ant Impact	Less than Significa nt With Mitigatio n Incorpor ated	Less Than Signific ant Impact	No Imp act	Source
a. Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U. S. Fish and Wildlife Service?				x	2, 94, 111, 112, 109
b. Have a substantially adverse impact on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations, or by the California Department of Fish and Game or U.S Wildlife Service?				x	2, 94, 111, 112, 109
c. Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?				x	2, 94, 111, 112, 109
d. Interfere substantially with the movement of any resident or migratory fish or wildlife species or with established native resident migratory wildlife corridors, or impede the use of native wildlife nursery sites?				X	2, 94, 111, 112, 109
e. Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?				X	41, 94, 111, 112
f. Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Conservation Community Plan, other approved local, regional, or state habitat conservation plan?				X	2, 41, 94, 111, 112
IV. CULTURAL RESOURCES. Would the project: a. Cause a substantial adverse change in the significance of a historical resource as defined in Section 15064.5?			x		10, 42, 60, 61, 94, 111, 115

Project #: 2003-0271 SDP/RZ/TM Project Address: 160 N. Sunnyvale Rd., Sunnyvale Applicant: Ron Dick	INITIAL STUDY ENVIRONMENTAL CHECKLIST Page 9						
b. Cause a substantial adverse change in the significance of an archaeological resources pursuant to Section 15064.5?		٥	x		10, 42, 94, 115		

Applicant: Ron Dick

# **INITIAL STUDY ENVIRONMENTAL CHECKLIST**

Issues and Supporting Information	Potenti ally Signific ant Impact	Less than Significa nt With Mitigatio n	Less Than Signific ant Impact	No Imp act	Sour ce
c. Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?				Х	10, 42, 94, 111
c. Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?  d. Disturb any human remains, including those interred outside of formal cemeteries?  V. LAND USE AND PLANNING. Would the project: a. Physically divide an established community?  b. Conflict with an applicable land use plan, policy or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?  c. Conflict with any applicable habitat conservation plan or natural communities conservation plan?  VI. MINERAL RESOURCES. Would the project: a. Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?  b. Result in the loss of availability of a locally-important  C. Directly or indirectly destroy and the residents of the state?  A conflict with integrating and and the residents of the state?	2, 111, 112				
i j				X	2, 11, 12, 21,
regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an				X	28 31, 28, 111
, , , , , , , , , , , , , , , , , , ,				X	2, 41, 94, 111
a. Result in the loss of availability of a known mineral resource that would be of value to the region and the				X	2, 94,
b. Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?				X	2, 94
<b>VII. NOISE.</b> Would the project result in:  a. Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?			x		2, 16, 26, 94, 111, 112

<u>Project #: 2003-0271 SDP/RZ/TM</u>					
Project Address: 160 N. Sunnyvale Rd., Sunnyvale	INITIAL STU	OY ENVIRON	MENTAL		
Applicant: Ron Dick				Pa	ge 11
b. Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?				x	2, 16, 26,
c. A substantial permanent increase in ambient no levels in the project vicinity above levels existing withe project?		٥	x		94, 111, 112 2, 16, 26, 94,
d. A substantially temporary or periodic increase in ambient noise levels in the project vicinity above levelsting without the project?			x		111, 112 2, 16, 26, 94,
Issues and Supporting Information	Potenti ally Signific ant	than Significa nt With	Less Than Signific ant	No Imp act	111, 112 Sour ce
	Impact	Mitigatio n Incorpor ated	Impact		
<b>VIII. POPULATION AND HOUSING.</b> Would the a. Induce substantial population growth in an area either directly (for example, by proposing new hom and businesses) or indirectly (for example, through extension of roads or other infrastructure)?	,		x		2, 11, 111, 112
b. Displace substantial numbers of existing housing necessitating the construction of replacement housi elsewhere?				X	2, 11, 111,
c. Displace substantial numbers of people, necessithe construction of replacement housing elsewhere?	•			X	112, 2, 11, 111,

**IX. PUBLIC SERVICES**. Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered government facilities, need for new or physically altered government facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:

Project #: 2003-0271 SDP/RZ/TM Project Address: 160 N. Sunnyvale Rd., Sunnyvale Applicant: Ron Dick	INITIAL STUDY	ENVIRON	NMENTAL		KLIST ige 12
a) Parks?			x		2, 18, 111, 112
b) Fire protection?		٥	۵	X	UFC/ UBC/ SVM C
c) Schools?				X	2, 111, 112
d) Other public facilities?				X	1, 2, 111, 112
e) Police protection?				X	26, 65, 66, 103,

Applicant: Ron Dick

# **INITIAL STUDY ENVIRONMENTAL CHECKLIST**

Issues and Supporting Information	Potenti ally Signific ant Impact	Less than Significa nt With Mitigatio n Incorpor ated	Less Than Signific ant Impact	No Imp act	Sour ce
X. MANDATORY FINDINGS OF SIGNIFICANCE					
a. Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal, or eliminate important examples of the major periods of California history or prehistory?				X	2, 10, 26, 42, 59, 60, 61, 111,
b. Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of the past projects, the effects of other current projects, and the effects of probable future projects)?			X		112 1, 2, 111, 112
c. Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?				X	111, 112

Applicant: Ron Dick

Issues and Supporting Information	Potenti ally Signific ant Impact	Less than Significa nt With Mitigatio n	Less Than Signific ant Impact	No Imp act	Sour ce
		Incorpor			

**INITIAL STUDY ENVIRONMENTAL CHECKLIST** 

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XI. GE	OLOGY AND SOILS.	would the project:					
•	pose people or structui death involving:	res to potential substantia	l adverse ef	fects, incl	uding the	risk of	loss
(i) delineated Fault Zoni area or ba	Rupture of a known ed on the most recent A ing Map issued by the sased on other substant fer to Division of Mines	quist-Priolo Earthquake State Geologist for the ial evidence of a known				X	UBO UPO UM A NEO
(ii)	Strong seismic ground	l shaking?			X		**
(iii) liquefactio	Seismic-related groun on?	d failure, including			X		**
(iv)	Landslides?					X	"
b) Result topsoil?	in substantial soil eros	sion or the loss of				X	"
or that wo and poter	ould become unstable a	or soil that is unstable, as a result of the project, ff-site landslide, lateral on or collapse?			x		"
a-B of the	ated on expansive soil, Uniform Building Code al risks to life or proper	` ,,				X	11
of septic t	anks or alternative wa where sewers are not a	uately supporting the use ste water disposal vailable for the disposal				X	11

Applicant: Ron Dick

# **INITIAL STUDY ENVIRONMENTAL CHECKLIST**

Issues and Supporting Information	Potenti ally Signific ant Impact	Less than Significa nt With Mitigatio n Incorpor ated	Less Than Signific ant Impact	No Imp act	Sour ce
<b>XII.</b> UTILITIES AND SERVICE SYSTEMS. Would the	project:				
a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?				x	2, 20, 24,, 87, 88, 89, 90, 111, 112
b) Require or result in construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?				x	2, 20, 24, 25, 87, 88, 89, 111,
c) Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?				x	112 2, 20, 24, 25, 87, 88, 89, 111,
d) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?				x	112 2, 20, 24, 25, 87, 88, 111, 112

Project #: 2003-0271 SDP/RZ/TM Project Address: 160 N. Sunnyvale Rd., Sunnyvale	INITIA	AL STUDY	'ENVIRON	MENTAL		
Applicant: Ron Dick					Pag	ge 16
e) Result in a determination by the wastewater treatment provider that services or may serve the project determined that it has adequate capacity to the project's projected demand in addition to the provider's existing commitments?	o serve				x	2, 20, 24, 25, 87, 88, 89,
f) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?					x	111, 112 2, 22, 90, 111,
g) Comply with federal, state, and local statues ar regulations related to solid waste?	nd				x	112 2, 22, 90, 111, 112
Issues and Supporting Information		Potenti ally Signific ant Impact	Less than Significa nt With Mitigatio n Incorpor ated	Less Than Signific ant Impact	No Imp act	Sour ce
XIII. TRANSPORTATION/TRAFFIC. Would the	project:					
a) Cause an increase in the traffic which is substar relation to the existing traffic load and capacity of t street system (i.e., result in a substantial increase either the number of vehicle trips, the volume to ca ratio on roads, or congestion at intersections)?	ntial in the in			X		2, 12, 71, 75, 76, 77, 111,

Applicant: Ron Dick

# **INITIAL STUDY ENVIRONMENTAL CHECKLIST**

b) Exceed, either individually or cumulatively, a level of service standard established by the county congestion management agency for designated roads or highways?		x		2, 71, 75,
				76, 77, 80, 84, 111,
c) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?			X	112, 2, 111, 112, 113
d) Substantially increase hazards to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g. farm equipment)?			x	71, 71, 75, 76, 77, 80, 84, 111,
e) Result in inadequate emergency access?			X	2, 111, 112
f) Result in inadequate parking capacity?		٥	X	2, 37, 111, 112
g) Conflict with adopted policies or programs supporting alternative transportation (e.g., bus turnouts, bicycle racks)?			X	2, 12, 81, 111, 112

Applicant: Ron Dick

**INITIAL STUDY ENVIRONMENTAL CHECKLIST** 

Issues and Supporting Information	Potenti ally Signific ant Impact	Less than Significa nt With Mitigatio n Incorpor ated	Less Than Signific ant Impact	No Imp act	Sourc e
XIV. HAZARDS AND HAZARDOUS MATERIALS. Wou	ia the pro	ject?			
a) Create a significant hazard to the public or the environment through the routine transport, use or disposal of hazardous materials?			X		Discus -sion at end of check- list
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the likely release of hazardous materials into the environment?				X	UFC/U BC/SV MC
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an exiting or proposed school?				X	UFC/U BC/SV MC
d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result would it create a significant hazard to the public or the environment?				X	UFC/U BC/SV MC
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?				X	UFC/U BC/SV MC
f) Impair implementation of, or physically interfere with an adopted emergency response plan or emergency evacuation plan?				X	UFC/U BC/SV MC
g) Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?				X	UFC/U BC/SV MC

Issues and Supporting Information	Potenti ally Signific ant Impact	Less than Significa nt With Mitigatio n Incorpor ated	Less Than Signific ant Impact	No Imp act	Sour ce
XV. RECREATION					
a) Would the project increase the use of existing neighborhood or regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?			X		2, 18, 111, 112
b) Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?			x		2, 18, 111, 112
<b>XVI. AGRICULTURE RESOURCES</b> : In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Department of Conservation as an optional model to use in assessing impacts on agriculture and farmland. Would the project?				X	94
a) Convert Prime Farmland, Unique Farmland or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency to non-agricultural use?				X	94
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?				X	94

c) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use?

Issues and Supporting Information	Potenti ally Signific ant Impact	Less than Significa nt With Mitigatio n Incorpor ated	Less Than Signific ant Impact	No Imp act	S
XVII. HYDROLOGY AND WATER QUALITY Would the project:				Х	2 2 2 1 1
a) Violate any water quality standards or waste discharge requirements?				X	2 2 2 1 1
b) Substantially degrade groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?				X	2 2 2 1 1
c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site?				X	2 2 2 1 1
d) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or surface runoff in a manner which would result in flooding on- or off site?				X	2 2 2 1 1
e) Create or contribute runoff which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?				X	2 2 2 1
f) Otherwise substantially degrade water quality?				X	1 1 1 2 1
g) Place housing within a 100-year floodplain, as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?				x	1 2 1 2 1 1

h) Place within a 100-year flood hazard area structures which would impede or redirect flood flows?			X	2, 19, 24, 25, 111,
<ul> <li>i) Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?</li> </ul>	g		X	2, 19, 24, 25, 111,
j) Inundation by seiche, tsunami, or mudflow?				

#### **DISCUSSION OF IMPACTS THAT ARE LESS THAN SIGNIFICANT**

**I AESTHETICS (b)** The 100 block of North Sunnyvale Road was originally listed as a potential heritage district in the City of Sunnyvale Cultural Resources Inventory dated September 1979. Over time, the properties which originally comprised the block, were redeveloped from single family residential to multi family residential buildings. Only a few parcels remain with original structures as surveyed in 1979.

A more recent <u>Historical and Architectural Evaluation</u> was prepared by Dill Design Group in November 2002. Dill is a State registered Historic Architect and Architectural Historian consultant. This report concluded that the existing house is not a significant historic resource that would not be eligible for the National Register of Historic Places or the California Register of Historic Resources, and therefore the project would not "cause a substantial adverse change to in the significance of an historic resource" or "have a significant effect on the environment".

In Staff's opinion the report did not arrive at a definitive conclusion regarding the local historical significant of the home. Staff requested an advisory recommendation from the Heritage Preservation Committee regarding the local historical significance, if any, of the subject home. In order to determine the local significance Heritage Commissioners drew from three sources of information. The first source was the City's Cultural Resource Inventory which describes the 100 Block of N. Sunnyvale Avenue. The inventory describes the block as follows,

"Sunnyvale Avenue is lined with several houses. Executives from the canneries, Hendy Iron Works, and other industries built their gracious homes along N. Sunnyvale Avenue, close to business. Set far back from the street, these homes often are surrounded by handsome landscaping. Styles vary, and some newer construction exists, but the bungalows and Colonial Revival styles predominate."

The inventory states the significance of the block as follows,

"Part of the original townsite of Encinal, Sunnyvale Avenue is significant for its many gracious homes which act as reminders of the town's earlier days. Threatened by a possible increase in traffic from the shopping are, this area would benefit from a conservation zone approach. This zoning could protect the unity and special qualities of Sunnyvale's older homes."

The home was never individually listed on the City's Cultural Inventory and the 100 Block was never adopted as a Heritage Landmark zone.

The second source of information was the historic and architectural report provided by Dill Design Group, dated November 2002. The report details specific facts about the home and provided criteria that may have helped to qualify it for local significance.

The third source was City's Municipal Code, Title 19 (Zoning Ordinance) which provided the criteria for nomination of a City Heritage resource. This criteria is similar to the criteria used for State and National eligibility. This nomination is for listing on the Heritage Landmarks list, not for listing on the City's Cultural Resource Inventory. Section 19.96.050 of Title 19 state the following,

"Any improvement, building, portion of buildings, structures, signs, features, sites, scenic areas, views, vistas, places, areas, landscapes, trees, or other natural objects or objects of scientific, aesthetic, educational, political, social, cultural, architectural, or historical significance can be designated a heritage resource by the city council and any area within the city may be designated a heritage resource district by the city council pursuant to provisions of this chapter if it meets the Criteria of the National Register of Historic Places, or one or more of the following:

- (a) It exemplifies or reflects special elements of the city's cultural, social, economic, political, aesthetic engineering, architectural, or natural history;
- (b) It is identified with persons or events significant in local, state, or national history;
- (c) It embodies distinctive characteristics of a style, type, period, or method of construction, or is a valuable example of the use of indigenous materials or craftsmanship;
- (d) It is representative of the work of a notable builder, designer, or architect;
- (e) It contributes to the significance of an historic area, being a geographically definable area possessing a concentration of historic or scenic properties or thematically related grouping of properties which contribute to each other and are unified aesthetically or by plan or physical development;
- (f) It has a unique location or singular physical characteristic or is a view or vista representing an established and familiar visual feature of a neighborhood, community, or the city of Sunnyvale;
- (g) It embodies elements of architectural design, detail, materials, or craftsmanship that represents a significant structural or architectural achievement or innovation;
- (h) It is similar to other distinctive properties, sites, areas, or objects based on a historic, cultural, or architectural motif;
- (i) It reflects significant geographical patterns, including those associated with different eras of settlement and growth, particular transportation modes, or distinctive examples of park or community planning;
- (j) It is one of the few remaining examples in the city, region, state, or nation possessing distinguishing characteristics of an architectural or historic type or specimen;
- (k) With respect to a local landmark, it is significant in that the resource materially benefits the historical character of a neighborhood or area, or the resource in its location represents an established and familiar visual feature of the community or city.
- (I) With respect to a local landmark district, a collective high integrity of the district is essential to the sustained value of the separate individual resources;
- (m) With respect to a designated landmark and designated landmark district, the heritage resource shall meet Criteria of the National Register of Historical Places, which are incorporated by reference into this chapter. (Ord. 2623-99 § 1 (part): prior zoning code § 19.80.060)."

The Heritage Preservation Committee reviewed all three sources of information and concluded that the residence is not eligible to be listed as an individual Heritage Cultural Resource or as a local Heritage Landmark. Although the date of the home's construction meets the 50 year threshold to qualify it as historic under Criteria A, the home does not meet the other three required criteria to be eligible for listing. The historical and architectural report states that the property was associated with John Hendy but concludes that it does not qualify under Criteria B, since Hendy himself never resided in the home. Since no local person of significance is directly associated with the home, Staff believes that it does not qualify under Criteria B. The report also states that the architecture does not embody a distinctive style or represent a time period, therefore, Staff does not believe that it would qualify under Criteria C. Criteria D is for resources associated with prehistory of an area only. Based on this analysis as a minimal

significance threshold, staff concurs with the Heritage Preservation Committee's advisory recommendation and concurs that the project would have a less than significant impact.

- **I AESTHETICS (c)** The City's implementation of the Citywide Design Guidelines and staff's review of final development plans which will be submitted for final Building Permit review issuance will ensure that the final design of the project is consistent with the plans reviewed by the Planning Commission and will not degrade the visual character or quality of the site and its surroundings. As a result this impact will be less than significant.
- IV CULTURAL RESOURCES (a) See Note for I(b).
- **IV CULTURAL RESOURCES (b)** Staff has no evidence of archaeological resources being located on-site or being found in the immediate vicinity. However, the project scope does include excavation of the site for the construction of basements for the proposed dwelling units and there may be the potential that the project may uncover yet undiscovered archaeological resources. As a standard Condition of Approval for project involving major excavation, staff has included specific project requirements related to the potential discovery of any archeological resources and what procedures need to be followed. Based on this analysis and the standard Conditions of Approval noted, staff has determined that the project would have a less than significant impact.
- **VII NOISE (a)** The project may introduce short-term and temporary additional sources of noise to the project area during construction. Through the City's implementation of the Citywide Design Guidelines and Municipal Code noise regulations, this impact will be lessened to a less than significant level during construction.
- **VII NOISE (c)** The project will introduce additional sources of noise to the project area both during construction and as an operational aspect of the three additional housing units. The new use of the property is anticipated to be more intensive than the existing single family house. Through the City's implementation of the Citywide Design Guidelines and Municipal Code noise regulations, this impact will be lessened to a less than significant level both during construction and post-construction operation.
- **VII NOISE (d)** The project may introduce short-term and temporary additional sources of noise to the project area during construction. Through the City's implementation of the Citywide Design Guidelines and Municipal Code noise regulations, this impact will be lessened to a less than significant level during construction.
- **VII POPULATION AND HOUSING (a)** The project will add three new residential units to the project site. The project's impact will be a slight incremental beneficial impact to the City's Jobs/Housing balance. As a result, this positive aspect of the project is a less than significant impact.
- **IX PUBLIC SERVICES (a)** The project will generate a very slight increase in the use of existing park facilities, but this impact is less than significant because the project will comply with the City's Park Dedication Fee requirement, which includes a fee of \$6,738.19 per unit. The project will generate \$20,214.57 for the Citywide acquisition and improvement of park facilities to offset this potential increased use.
- **X** MANDATORY FINDINGS OF SIGNIFICANCE (b) The project will provide additional housing units for the City's housing stock and has cumulative incremental effects, but these effects are not significant based on applicable environmental thresholds, existing facility and system capacities, and/or adopted service levels.
- XI. GEOLOGY AND SOILS (a)(ii) The project site is not located in an area with any active faults, but may experience strong seismic ground shaking in the event of an earthquake. Through the City's

implementation of the Uniform Building Code requirements for area's with potential for seismic activity this aspect of the project will be reduced to a less than significant level.

- XI GEOLOGY AND SOILS (a)(iii) See Note for XI(ii).
- XI GEOLOGY AND SOILS (c) See Note for XI(ii).
- **XII TRANSPORTATION AND TRAFFIC (a)** The Traffic Division of the Public Works Department has determined that the project does not warrant the preparation of a Traffic Study and that the proposed project will not have a significant impact on transportation or traffic because the project will only generate three additional peak hour trips.
- **XII TRANSPORTATION AND TRAFFIC (b)** The Traffic Division of the Public Works Department has determined that the project does not warrant the preparation of a Traffic Study and that the proposed project will not have a significant impact on transportation or traffic because the project density is below the adopted maximum density for the project site that is noted in the General Plan.
- **XIV HAZARDOUS AND MAZARDOUS MATERIALS (a)** The subject property abuts the Northrop-Grumman owned property, which is the old Westinghouse site. This site is known to have soil and groundwater contamination. The site contamination is currently be cleaned and is a Federal Superfund site. The subject project will not disturb the area of soil and water contamination, and therefore, should not be affected by the contamination.
- **XV RECREATION** (a) The project will generate a very slight increase in the use of existing park facilities, but this impact is less than significant because the project will comply with the City's Park Dedication Fee requirement, which includes a fee of \$6,738.19 per unit. The project will generate \$20,214.57 for the Citywide acquisition and improvement of park facilities to offset this potential increased use.

**XV RECREATION (b)** See Note for XV(a).

Completed By: Steve Lynch, Associate Planner Date: September 2, 2003



### **INITIAL STUDY REFERNCE CHECKLIST**

Note: All references are the most recent version as of the date the initial Study was prepared:

### 1. City of Sunnyvale General Plan:

- 2. Map
- 3. Air Quality Sub-Element
- 4. Community Design Sub-Element
- 5. Community Participation Sub-Element
- 6. Cultural Arts Sub-Element
- 7. Executive Summary
- 8. Fire Services Sub-Element
- 9. Fiscal Sub-Element
- 10. Heritage Preservation Sub-Element
- 11. Housing & Community Revitalization Sub-Element
- 12. Land Use & Transportation Sub-Element
- 13. Law Enforcement Sub-Element
- 14. Legislative Management Sub-Element
- 15. Library Sub-Element
- 16. Noise Sub-Element
- 17. Open Space Sub-Element.
- 18. Recreation Sub-Element
- 19. Safety & Seismic Safety Sub-Element
- 20. Sanitary Sewer System Sub-Element
- 21. Socio-Economic Sub-Element
- 22. Solid Waste Management Sub-Element
- 23. Support Services Sub-Element
- 24. Surface Run-off Sub-Element
- 25. Water Resources Sub-Element

### 26. City of Sunnyvale Municipal Code:

- 27. Chapter 10
- 28. Zoning Map
- 29. Chapter 19.42. Operating Standards
- 30. Chapter 19.28. Downtown Specific Plan District
- 31. Chapter 19.18. Residential Zoning Districts
- 32. Chapter 19.20. Commercial Zoning Districts
- 33. Chapter 19.22. Industrial Zoning Districts
- 34. Chapter 19.24. Office Zoning Districts
- 35. Chapter 19.26. Combining Zoning Districts
- 36. Chapter 19.28. Downtown Specific Plan
- 37. Chapter 19.46. Off-Street Parking & Loading
- 38. Chapter 19.56. Solar Access
- 39. Chapter 19.66. Affordable Housing
- 40. Chapter 19.72. Conversion of Mobile Home Parks to Other Uses

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- 41. Chapter 19.94. Tree Preservation
- 42. Chapter 19.96. Heritage Preservation

### **Specific Plans**

- 43. El Camino Real Precise Plan
- 44. Lockheed Site Master Use Permit
- 45. Moffett Field Comprehensive Use Plan
- 46. 101 & Lawrence Site Specific Plan
- 47. Southern Pacific Corridor Plan

### **Environmental Impact Reports**

- 48. Futures Study Environmental Impact Report
- 49. Lockheed Site Master Use Permit Environmental Impact Report
- 50. Tasman Corridor LRT Environmental Impact Study (supplemental)
- 51. Kaiser Permanente Medical Center Replacement Center Environmental Impact Report (City of Santa Clara)
- 52. Downtown Development Program Environmental Impact Report
- 53. Caribbean-Moffett Park Environmental Impact Report
- 54. Southern Pacific Corridor Plan Environmental Impact Report

### Maps

- 55. City of Sunnyvale Aerial Maps
- 56. Flood Insurance Rate Maps (FEMA)
- 57. Santa Clara County Assessors Parcel
- 58. Utility Maps (50 scale)

## **Lists/Inventories**

- 59. Sunnyvale Cultural Resources Inventory List
- 60. Heritage Landmark Designation List
- 61. Santa Clara County Heritage Resource Inventory
- 62. Hazardous Waste & Substances Sites List (State of California)
- 63. List of Known Contaminants in Sunnyvale

### Legislation/Acts/Bills/Codes

- 64. Subdivision Map Act
- 65. Uniform Fire Code, including amendments per SMC adoption
- 66. National Fire Code (National Fire Protection Association)
- 67. Title 19 California Administrative Code
- 68. California Assembly Bill 2185/2187 (Waters

- Bill)
- 69. California Assembly Bill 3777 (La Follette Bill)
- 70. Superfund Amendments & Reauthorization Act (SARA) Title III

### **Transportation**

- 71. California Department of Transportation Highway Design Manual
- 72. California Department of Transportation Traffic Manual
- 73. California Department of Transportation Standard Plan
- 74. California Department of Transportation Standard Specification
- 75. Institute of Transportation Engineers Trip Generation
- 76. Institute of Transportation Engineers
  Transportation and Traffic Engineering
  Handbook
- 77. U.S. Dept. of Transportation Federal Highway Admin. Manual on Uniform Traffic Control Devices for Street and Highways
- 78. California Vehicle Code
- 79. Traffic Engineering Theory & Practice by L. J. Pegnataro
- 80. Santa Clara County Congestion Management Program and Technical Guidelines
- 81. Santa Clara County Transportation Agency Short Range Transit Plan
- 82. Santa Clara County Transportation Plan
- 83. Traffic Volume Studies, City of Sunnyvale Public works Department of Traffic Engineering Division
- 84. Santa Clara County Sub-Regional Deficiency Plan
- 85. Bicycle Plan

## **Public Works**

- 86. Standard Specifications and Details of the Department of Public Works
- 87. Storm Drain Master Plan
- 88. Sanitary Sewer Master Plan
- 89. Water Master Plan
- 90. Solid Waste Management Plan of Santa Clara County
- 91. Geotechnical Investigation Reports
- 92. Engineering Division Project Files
- 93. Subdivision and Parcel Map Files

### **Miscellaneous**

- 94. Field Inspection
- 95. Environmental Information Form
- 96. Annual Summary of Containment Excesses (BAAQMD)
- 97. Current Air Quality Data
- 98. Chemical Emergency Preparedness Program (EPA) Interim Document in 1985?)
- 99. Association of Bay Area Governments (ABAG) Population Projections
- 100. Bay Area Clean Air Plan
- 101. City-wide Design Guidelines
- 102. Industrial Design Guidelines

# **Building Safety**

- 103. Uniform Building Code, Volume 1, (Including the California Building Code, Volume 1)
- 104. Uniform Building Code, Volume 2, (Including the California Building Code, Volume 2)
- 105. Uniform Plumbing Code, (Including the California Plumbing Code)
- 106. Uniform Mechanical Code, (Including the California Mechanical Code)
- 107. National Electrical Code (Including California Electrical Code)
- 108. Title 16 of the Sunnyvale Municipal Code

### **Additional References**

- 109. USFWS/CA Dept. of F&G Special Status Lists
- 110. Project Traffic Impact Analysis
- 111. Project Description
- 112. Project Development Plans
- 113. Santa Clara County Airport Land Use Plan
- 114. Federal Aviation Administration
- 115. Site Plan
- 116. Site Visit
- 117. City of Sunnyvale Municipal Code Titles 20 and 21